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(01-04)

**DECLARATION AND
POWER OF ATTORNEY FOR
PATENT APPLICATION**Declaration
Submitted
with Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

4121-171

First Named Inventor

Klaus Braun, et al

COMPLETE IF KNOWN

Application Number

10/502,442

Filing Date

22 July 2004

Art Unit

NA

Examiner Name

NA

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"DIAGNOSTIC CONJUGATE USEFUL FOR INTRACELLULAR IMAGING AND FOR DIFFERENTIATING BETWEEN TUMOR - AND NON-TUMOR CELLS" ✓

the specification of which is attached hereto unless the following box is checked:

(X) was submitted on July 22, 2004 ✓ as US Application Serial No. 10/502,442 ✓ based on International Application Number PCT/EP03/00609 filed on 22 January 2003. ✓

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination and patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119(a-d) or 365(b) of any foreign application(s) for patent or inventor(s) certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
European	02001506.1 ✓	22 January 2002 ✓	YES: <u>X</u> NO: <u> </u>
PCT	PCT/EP03/00609 ✓	22 January 2003 ✓	YES: <u>X</u> NO: <u> </u>

I hereby claim the benefit under Title 35, United States Code, §119(e) and/or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this specification is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION (continued)

ATTORNEY DOCKET NO. 4121-171

(Application Number) (Filing Date) (Status-Patented, Pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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10/502442

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